

regard to the animal recipient. As outlined above, Cherksey is silent with regard to the relationship of the glial cells to the neural or paraneural cells and/or to the animal recipient.

Goldstein teaches transfecting a tyrosine hydroxylase gene into cells, including RPE cells, and transplanting the genetically altered cells into the brain. Goldstein does not teach co-administration of RPE cells with a second cell population.

Neither Cherksey or Goldstein, either alone or in combination, describes or suggests the claimed invention, methods of treating a disease in a mammal by co-administering RPE cells with a second cell population, wherein the RPE cells and the second cell population are allogeneic to the mammal.

As these references do not teach the claimed invention, neither Cherksey or Goldstein, either alone or in combination, provides any expectation of success with regard to the claimed invention.

Further, there is no motivation in Cherksey to modify the methods taught therein to arrive at the claimed invention. In addition, neither Cherksey or Goldstein provide any motivation or suggestion to combine and/or modify the references to arrive at the claimed invention.

Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. §103.

III. CONCLUSION


Applicants believe that all issues raised in the Office Action have been properly addressed in this response. Accordingly, reconsideration and allowance of the pending claims is respectfully requested. If the Examiner feels that a telephone interview would serve to facilitate resolution of any outstanding issues, the Examiner is encouraged to contact Applicants' agent at the telephone number below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for

any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 311772000500. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

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